

10 CFR 50.90

NMP1L2956  
September 11, 2014

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Nine Mile Point Nuclear Station, Units 1 and 2  
Renewed Facility Operating License Nos. DPR-63 and NPF-69  
NRC Docket Nos. 50-220 and 50-410

Subject: License Amendment Request Pursuant to 10 CFR 50.90: Change to  
Technical Specification Requirements Regarding Education and  
Experience Eligibility Requirements for Licensed Operators

In accordance with 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit," Exelon Generation Company, LLC (EGC) requests changes to the Technical Specifications of the Nine Mile Point Nuclear Station, LLC (NMPNS) operating licenses (OLs), DPR-63 and NPF-69, for Nine Mile Point Unit 1 (NMP1) and Unit 2 (NMP2).

The proposed changes will change the licensed operator training and qualification education and experience eligibility requirements specified in NMP1 Technical Specification (TS) 6.3.1 and NMP2 TS 5.3.1 to the eligibility requirements specified in this License Amendment Request. The proposed eligibility requirements correspond to the eligibility requirements contained in the current National Academy for Nuclear Training (NANT) Academy Document, ACAD 10-001, "Guidelines for Initial Training and Qualification of Licensed Operators," dated February 2010.

Attachment 1 to this letter provides the evaluation of the proposed changes and the no significant hazards consideration determination under the standards set forth in 10 CFR 50.92. Attachment 2 provides the existing TS pages marked-up to show the proposed changes.

The proposed change is in line with the previous submittal for the Exelon fleet, approved by the NRC on June 20, 2013. The proposed change has been reviewed by the NMPNS Plant Operations Review Committee and approved by the Nuclear Safety Review Board.

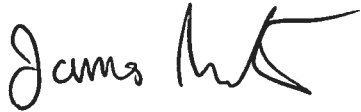
EGC requests approval of the proposed license amendment by September 11, 2015. Once approved, the amendment shall be implemented within 60 days of receipt. There are no regulatory commitments contained within this letter.

In accordance with 10 CFR 50.91, "Notice for public comment; State consultation," paragraph (b), EGC is notifying the State of New York of this application for license amendment by transmitting a copy of this letter and its attachments to a designated State Official.

Should you have any questions concerning this letter, please contact Laura Cates at (610) 765-5729.

I declare under penalty of perjury that the foregoing is true and correct. This statement was executed on the 11<sup>th</sup> day of September 2014.

Respectfully,



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James Barstow  
Director - Licensing and Regulatory Affairs  
Exelon Generation Company, LLC

Attachments: 1. Evaluation of Proposed Changes  
2. Markup of Technical Specifications Pages

cc: NRC Regional Administrator, Region I  
NRC Resident Inspector  
NRC Project Manager  
A. L. Peterson, NYSERDA

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### **Evaluation of Proposed Changes**

#### **1.0 SUMMARY DESCRIPTION**

In accordance with 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit," Exelon Generation Company, LLC (EGC) requests changes to the Technical Specifications of the Nine Mile Point Nuclear Station, LLC (NMPNS) Operating Licenses (OLs), DPR-63 and NPF-69, for Nine Mile Point Unit 1 (NMP1) and Unit 2 (NMP2).

The proposed changes will change the licensed operator training and qualification education and experience eligibility requirements specified in NMP1 Technical Specification (TS) 6.3.1 and NMP2 TS 5.3.1 to comply only with the requirements of 10 CFR 55. The proposed eligibility requirements correspond to the eligibility requirements contained in the current National Academy for Nuclear Training (NANT) Academy Document, ACAD 10-001, "Guidelines for Initial Training and Qualification of Licensed Operators," dated February 2010 (Reference 1). The proposal will bring NMP1 and NMP2 into alignment with current industry practices.

#### **2.0 DETAILED DESCRIPTION**

##### **2.1 Background**

The existing TS requirements for unit staff qualifications and licensed operator personnel training programs are based on NRC endorsed industry standards to ensure that a licensee's staff is appropriately qualified and trained for their respective positions. Current licensed operator qualifications and the licensed operator re-training and replacement programs must also comply with the requirements of 10 CFR 55 and 10 CFR 50.120.

Currently, NMP1 TS 6.3.1 and NMP2 TS 5.3.1 require each member of the unit staff, with the exception of the radiation protection manager and the operator license applicants, to meet or exceed the minimum qualifications of American Nuclear Standard Institute (ANSI) N18.1-1971 (NMP1) or ANSI/ANS 3.1-1978 (NMP2) for comparable positions. The radiation protection manager is required to meet or exceed the qualifications of Regulatory Guide (RG) 1.8, September 1975. The education and experience eligibility requirements for operator license applicants and changes thereto, are required to meet those previously reviewed and approved by the NRC; specifically, those referenced in NMPNS letter, dated December 20, 2007 (Reference 2), and described in the applicable station training procedures.

The following is additional background from NUREG-1021, "Operator Licensing Examination Standards For Power Reactors," Revision 9, Supplement 1.

*"In accordance with Title 10, Section 55.31(a)(4), of the Code of Federal Regulations (10 CFR 55.31(a)(4)), as amended by a rule change dated March 25, 1987, a license applicant must provide evidence that he or she has successfully completed the facility licensee's requirements to be licensed as an [Reactor Operator] RO or [Senior Reactor Operator] SRO. An authorized representative of the facility licensee shall certify this evidence on the license application; the required certification must include the details of the applicant's qualifications, training, and experience. In lieu of these details, the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training (SAT) and uses a simulation facility that is acceptable to the Commission.*

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*Revision 2 of Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," which was published in conjunction with the 1987 rule change, provided guidance on an acceptable method of implementing this regulation. However, the NRC staff had reviewed the industry's licensed operator training program experience guidelines in effect at the time of the 1987 rule change and determined that they were equivalent to the baseline experience criteria of RG 1.8, Revision 2. Consequently, as indicated in the statement of consideration for the 1987 rule change, a facility licensee's training program would be considered approved by the NRC when it is accredited by the National Nuclear Accrediting Board (NNAB)."*

#### **2.2     Proposed Change to the Nine Mile Point Unit 1 Technical Specification 6.3.1**

Currently, NMP1 TS 6.3.1 contains the following requirement: "...The education and experience eligibility requirements for operator license applicants, and changes thereto, shall be those previously reviewed and approved by the NRC; specifically, those referenced in the letter NMP1L 2184, dated December 20, 2007, and described in applicable station training procedures."

EGC proposes to replace this requirement with the following: "The licensed operators shall comply only with the requirements of 10 CFR 55."

#### **2.3     Proposed Change to the Nine Mile Point Unit 2 Technical Specification 5.3.1**

Currently, NMP2 TS 5.3.1 contains the following requirement: "...The education and experience eligibility requirements for operator license applicants and changes thereto, shall be those previously reviewed and approved by the NRC; specifically, those referenced in letter NMPIL 2184, dated December 20, 2007, and described in applicable station training procedures."

EGC proposes to replace this requirement with the following: "The licensed operators shall comply only with the requirements of 10 CFR 55."

### **3.0     TECHNICAL EVALUATION**

On March 20, 1985, the NRC issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, which endorsed the training accreditation program developed by the Institute of Nuclear Power Operations (INPO). The NRC documented discussion, approval and acceptance of NANT guidelines in Regulatory Information Summary (RIS) 01-001, "Eligibility of Operator License Applicants," NUREG-1021, Revision 9, Supplement 1, "Operator Licensing Examination Standards For Power Reactors," and RG 1.8, Revision 3, "Qualification and Training of Personnel for Nuclear Power Plants." These documents state that a facility licensee's training program would be considered approved by the NRC when it is accredited by the NNAB and that NANT guidelines for education and experience outline acceptable methods for implementing the NRC's regulation in this area.

The NMP1 and NMP2 TS unit staff qualifications requirements are being revised from the NANT ACAD 00-003, Revision 1 (Reference 3), education and experience eligibility requirements to the most current revision (and changes thereafter), NANT ACAD 10-001 (Reference 1), and therefore, is consistent with 10 CFR 55.31(a)(4).

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NUREG-1021, Revision 9, Supplement 1 states:

*“When a facility licensee's licensed operator training program description and/or licensing-basis documents contain education and experience requirements that are more restrictive than either Revision 3 of RG 1.8 or the current NANT guidelines, the most restrictive requirements will continue to apply pending the initiation of action by the licensee to amend these requirements; any required TS changes would be considered administrative in nature.”*

Some of the current TS operator education and experience eligibility requirements as defined in the NMPNS letter dated December 20, 2007 (Reference 2), and based on NANT ACAD 00-003, Revision 1 (Reference 3) are more restrictive than the current NANT guidelines (i.e., ACAD 10-001, Revision 0 (Reference 1)), hence, the basis for this administrative LAR.

Table 1 provides a comparison of the existing education and experience eligibility requirements between ACAD 00-003, Revision 1 (Reference 3) and ACAD 10-001, Revision 0 (Reference 1).

<b>Table 1 - Education and Experience Eligibility Requirements for Operator License Applicants, Comparison of ACAD 00-003 and ACAD 10-001</b>		
	<b>ACAD 00-003, R1</b>	<b>ACAD 10-001, RO</b>
Reactor Operator (RO) - Education	High School Diploma or equivalency	High School Diploma or equivalency
RO – Experience	6 months as a Non-Licensed Operator (NLO) on site AND	6 months as an NLO on site OR 12 months as NLO at comparable facility OR 6 months as active RO at comparable facility OR 24 months at military reactor in RO equivalent qualification” AND
	3 years power plant experience (PPE)* AND	36 months PPE** AND
	1 year on site	6 months on site
Senior Reactor Operator (SRO) - Education (RO Upgrade or Direct SRO)	High School Diploma or equivalency	High School Diploma or equivalency
SRO - Experience (RO Upgrade or Direct SRO)	6 months on site AND	6 months on site AND
	1 year as RO at the site OR	1 year as RO at the site OR
	1 year as active RO at comparable facility OR	1 year as active RO at facility (same vendor & vintage) OR
	1.5 years as active RO at non-comparable commercial facility OR	1.5 years as active RO at comparable facility or non-comparable commercial power reactor facility OR

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<b>Table 1 - Education and Experience Eligibility Requirements for Operator License Applicants, Comparison of ACAD 00-003 and ACAD 10-001</b>		
	<b>ACAD 00-003, R1</b>	<b>ACAD 10-001, RO</b>
	2 years at military reactor in RO equivalent qualification**	2 years at military reactor in RO equivalent qualification**
SRO – Education / Experience (Degreed Plant Staff Engineer) (Note 1)	6 months on site AND	6 months on site AND
	Bachelor of Science (BS) degree, or equivalent in Eng., Eng. Tech., or Physical Sciences, or Professional Engineer (PE) license AND	BS degree, or equivalent in Eng., Eng. Tech., or related Sciences, or PE license AND
	3 years responsible nuclear power plant experience (RNPE)#	18 months RNPE***
SRO – Education / Experience (Degreed Manager or NLO) (Note 1)	6 months on site AND	6 months on site AND
	BS degree, or equivalent in Eng., Eng. Tech., or Physical Sciences, or PE license AND	BS degree, or equivalent in Eng., Eng. Tech., or related Sciences, or PE license AND
	3 years in responsible position (NLO or supervisor / manager+)	18 months RNPE***
SRO – Education / Experience (SRO Certified Instructor)	High School Diploma or equivalency AND	High School Diploma or equivalency AND
	6 months on site AND	6 months on site AND
	SRO Certification Training completed, including basic fundamentals AND	SRO Certification Training completed, including Generic Fundamentals AND
	Certified at the SRO level by utility or Nuclear Steam Supply System (NSSS) vendor AND	Certified as SRO level instructor at the current or comparable, or non-comparable commercial power reactor** AND
	SRO Certification Instructor experience greater than 4 years**	SRO Certification Instructor experience greater than 4 years**

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<b>Table 1 - Education and Experience Eligibility Requirements for Operator License Applicants, Comparison of ACAD 00-003 and ACAD 10-001</b>		
	<b>ACAD 00-003, R1</b>	<b>ACAD 10-001, RO</b>
<p>Notes: 1 ACAD 10-001 combined the SRO – Degreed Plant Staff Engineer and SRO Degreed Manager or NLO into one eligibility requirement.</p> <p>* PPE is credited via a combination of nuclear or fossil commercial experience (1:1 basis) and military experience (2:1 basis).</p> <p>** RO equivalent qualification is: Propulsion Plant Watch Officer, Engineering Watch Supervisor, Reactor Operator, Engineering Officer of the Watch, or Propulsion Plant Watch Supervisor.</p> <p># RNPE is credited via a combination of Plant Staff Engineer Experience (1:1 basis) and Academic Equivalence (maximum 2 years, 1:1 basis)</p> <p>+ Supervisor or manager in: work control, operations, engineering, outage management, maintenance, radiation protection, chemistry, or training.</p> <p>++ Experience is credited via a combination of SRO certification at current or comparable facility (1:1 basis) and SRO certification at a non-comparable nuclear facility (1.5:1 basis)</p> <p>## PPE is credited via a combination of nuclear or fossil commercial experience (1:1 basis) and military experience (2:1 basis) AND Academic equivalence (maximum of 18 months credit for BS degree and 9 months credit for Associate of Science (AS) degree)</p> <p>### RNPE is credited via a combination of Power Plant Staff (manager or supervisor in specific work groups, or staff engineer at current or comparable facility (1:1 basis; non-comparable facility at 1.5:1 basis) and Qualified NLO (1:1 basis for current or comparable facility).</p>		



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A significant difference between the two ACAD documents is the experience requirements for RO and SRO. RO on-site experience requirements were reduced from one year to six months and SRO RNPE were reduced from three years to 18 months. The new requirements provide additional flexibility in selecting license candidates under an accredited program.

The NRC has found this reduction to not be a significant issue as evidenced in previous similar precedence. NRC granted Prairie Island Nuclear Generating Plant a license amendment (Reference 4) to remove their TS reference to specific education and experience requirements for operator license applicants. In that amendment, the NRC Safety Evaluation made the following conclusion regarding the proposed change to TS 5.3, "Plant Staff Qualifications":

*"... This proposed change is consistent with 10 CFR 55(a)(4). In addition, this change will not affect the 10 CFR 50.36(c)(5) requirement to ensure the licensee maintains administrative controls that assure the operation of the facility in a safe manner. Therefore, the NRC staff concludes that the proposed change to TS 5.3.1 is acceptable."*

The NRC Safety Evaluation for a similar Wolf Creek Generating Station license amendment (Reference 5) made the following conclusion regarding the proposed changes to TS 5.3, "Unit Staff Qualifications":

*"Since 10 CFR 55.31(a)(4) allows the NRC to accept an application for an operator's license if the facility licensee certifies that the applicant has successfully completed a Commission-approved training program that is based on a SAT in lieu of details of operators license applicant's education and experience, this change meets the 10 CFR 55.31(a)(4) requirements to apply for an operator's license and ensures the facility licensee maintains administrative controls that assure the operation of the facility in a safe manner by properly qualified licensed operators. Therefore, the NRC staff concludes that removal of the education and experience requirements from the TS is acceptable."*

The NRC Safety Evaluation for a similar EGC license amendment (Reference 6) made the following conclusion regarding the proposed changes to the associated Exelon Technical Specifications:

*"Since 10 CFR 55.31(a)(4) allows the NRC to accept an application for an operator's license if the facility licensee certifies that the applicant has successfully completed a Commission-approved training program, that is based on an SAT in lieu of providing details of the applicant's education and experience, this change meets the 10 CFR 55.31(a)(4) requirements to apply for an operator's license and ensures the facility licensee maintains administrative controls that assure the operation of the facility in a safe manner by properly qualified licensed operators."*

NMPNS' education and experience requirements are administratively controlled through each station's Updated Final Safety Analysis Report (UFSAR), accredited licensed operator training program, or training procedures that ensure the operation of the facility in a safe manner. The NMPNS Operator Training Programs are designed in accordance with accreditation programs described in the latest approved ACAD recommendations, and uses a simulation facility acceptable to the NRC under 10 CFR 55.

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In addition, this change is consistent with 10 CFR 55.31(a)(4) in that a station authorized representative will continue to document and certify evidence that a license applicant meets the education and experience requirements outlined by the NANT in its current guidelines for initial training and qualification of licensed operators per NRC Form 398, "Personal Qualification Statement-Licensee." Also, the removal of the specific TS reference to the NMPNS letter referencing an industry standard does not affect the 10 CFR 50.36(c)(5) requirement to ensure the licensee maintains administrative controls that assure the operation of the facility in a safe manner.

In the annual 2009 INPO/NRC meeting (Reference 7), participants discussed guidelines for Initial Training and Qualification of Licensed Operators and the proposed changes that would eventually be incorporated into NANT ACAD 10-001. The NRC did not provide any significant objections to the proposed eligibility requirement changes for reactor operators and senior reactor operators. No final positions were taken during the meeting, but the NRC did agree to consider the need for possible clarifications to NUREG-1021 or other regulatory documents to endorse and implement the revised eligibility criteria.

At a 2010 Industry Focus Group (FG) meeting (Reference 8), the group discussed the license eligibility requirements being revised in ACAD 09-001 (which evolved into ACAD 10-001) and the NRC did not provide any significant objections to the proposed eligibility requirement changes for reactor operators and senior reactor operators and documented the following:

### "License eligibility (ACAD 09-001)"

*The NRC staff informed the FG that there was a meeting in November 2009 with the Institute of Nuclear Power Operations (INPO) regarding licensed operator eligibility and INPO's proposed revision to ACAD 09-001. The senior INPO representative then indicated that the revision to ACAD 09-001 was undergoing final INPO concurrence, with final approval expected to occur by February 2010. The INPO representative further described the implementation of the revision to ACAD 09-001, including communications with the nuclear industry, allowing both the revision and current version of ACAD 09-001 to be used for eligibility during all of 2010 (transition year), and then retiring the current version of ACAD 09-001 in January 2011. The FG and the NRC staff discussed possible licensing class scenarios and which ACAD would apply, and the NRC staff emphasized that eligibility should not be determined by the selective use of parts of the current version of ACAD 09-001 and parts of the revision to ACAD 09-001, but instead eligibility should be determined by the use of either the current version of ACAD 09-001 in its entirety or the revision to ACAD 09-001 in its entirety."*

NMPNS will use the ACAD 10-001 in its entirety with regards to licensed operator education and experience eligibility requirements.

In the Operator Licensing Program Feedback (Reference 9), the NRC considered the eligibility guidelines for education and experience at existing nuclear power plants promulgated by the NANT, including those that were issued in February 2010 (ACAD 10-001) as acceptable methods for meeting 10 CFR 55.31(a)(4) with the exception of the Direct SRO for SRO-Certified Instructor eligibility criteria listed in Figure 2-4 of ACAD 10-001 (which is no different than the previously stated exception to ACAD 00-003).

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By maintaining the exception to the ANSI standards in regards to licensed operator education and eligibility requirements, as embodied in the revised wording referencing 10 CFR 55, NMPNS maintains that implementing a SAT training program, as permitted under 10 CFR 55, allows the use of the current NANT ACAD 10-001 in lieu of the ANSI standards as endorsed in RG 1.8. NMPNS' licensee training program is considered acceptable by the NRC when it was accredited by the NNAB.

### 4.0 REGULATORY EVALUATION

#### 4.1 Applicable Regulatory Requirements/Criteria

10 CFR 50.120, "Training and Qualification of Nuclear Power Plant Personnel," requires that each nuclear power plant licensee or applicant for an operator license establish, implement, and maintain the training and qualification programs that are derived from a SAT as defined in 10 CFR 55.4. This LAR conforms to 10 CFR 50 requirements.

10 CFR 55, "Operators' Licenses," Subpart D, "Applications," requires that operator license applications include information concerning an individual's education, experience, and other related matters to provide evidence and certification that the applicant has successfully completed the facility licensee's training program that is based on a SAT. This LAR conforms to 10 CFR 55 requirements.

NUREG-1021, Revision 9, Supplement 1, "Operator Licensing Examination Standards For Power Reactors," Section ES-202, "Preparing and Reviewing Operator Licensing Applications," states, in part, that:

*"... the fact that every facility licensee has voluntarily obtained and periodically renewed the accreditation of its licensed operator training program suggests that every facility licensee is implementing the education and experience guidelines endorsed by the NNAB. Specifically, the NRC staff understands that the current version of those guidelines are outlined in the NANT 'Guidelines for Initial Training and Qualification of Licensed Operators,' which were issued in January 2000 (NANT 2000 guidelines). Consequently, unless otherwise informed by a facility licensee, the NRC staff believes that the education and experience guidelines described in the NANT 2000 guidelines constitute the facility licensee's education and experience requirements to be licensed as an RO or SRO."*

This LAR conforms to the NANT ACAD 10-001, and changes thereafter, to implement the operator education and experience eligibility requirements. The changes in NANT guidelines from 2000 and 2010 that involve operator education and experience eligibility requirements have been reviewed and documented in a November 2009 public meeting in which the NRC did not provide any serious objections to the proposed eligibility requirement changes for reactor operators and senior reactor operators (Reference 7).

RG 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," describes a method that the NRC staff finds acceptable for complying with the NRC's regulations regarding training and qualification of nuclear power plant personnel. NUREG-1021 states, in part, that:

*"... the NRC staff revised NRC Form 398, "Personal Qualifications Statement: Licensee," to clarify that when a facility licensee certifies, pursuant to 10 CFR 55.31(a)(4), that an*

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*applicant has successfully completed a Commission-approved, SAT-based training program, it means that the applicant meets or exceeds the minimum education and experience guidelines currently outlined by the NANT (and, by extension, Revision 3 of RG 1.8). Facility licensees can use the revised NRC Form 398 to document any exceptions or waivers that the applicant has taken from the baseline education and experience guidelines outlined by the NANT. In addition, recognizing that the only significant difference between Revision 3 of RG 1.8 and the current accreditation guidelines pertains to certified instructors seeking an SRO license, those applicants can use the revised NRC Form 398 to document the details of their experience. This will minimize the potential for misunderstanding and the need to seek additional information."*

Since this LAR will meet the minimum education and experience guidelines currently outlined by NANT ACAD 10-001, it meets, by extension, the regulatory requirements.

### 4.2 Precedent

Similar license amendments were approved for:

1. Braidwood Station, Units 1 and 2; Byron Station, Unit Nos. 1 and 2; Clinton Power Station, Unit No.1; Dresden Nuclear Power Station, Units 2 and 3; LaSalle County Station, Units 1 and 2; Limerick Generating Station, Units 1 and 2; Oyster Creek Nuclear Generating Station; Peach Bottom Atomic Power Station, Units 2 and 3; Quad Cities Nuclear Power Station, Units 1 and 2; and Three Mile Island Nuclear Station, Unit 1 in a letter dated June 20, 2013 (Reference 6);
2. Wolf Creek Generating Station on April 2, 2012 (Reference 5); and
3. Prairie Island Nuclear Generating Plant, Units 1 and 2 on December 1, 2011 (Reference 4).

### 4.3 No Significant Hazards Consideration

Exelon Generation Company, LLC (EGC) has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The NRC considered the impact of previously evaluated accidents during the rulemaking process, and by promulgation of the revised 10 CFR 55 rule, determined that this impact remains acceptable when licensees have an accredited licensed operator training program which is based on a Systems Approach to Training (SAT). EGC maintains an Institute of Nuclear Power Operations (INPO) National Academy for Nuclear Training (NANT) accredited program which is based on a SAT. The NRC has concluded in Regulatory Information Summary (RIS) 2001-01, "Eligibility of Operator License Applicants," and NUREG-1021, "Operator Licensing Examination Standards For Power Reactors," that standards and guidelines applied

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by INPO in their accredited training programs are equivalent to those put forth by or endorsed by the NRC. Therefore, maintaining an INPO accredited SAT-based licensed operator training program is equivalent to maintaining an NRC approved licensed operator training program which conforms to applicable NRC Regulatory Guidelines or NRC endorsed industry standards. The proposed changes conform to NANT ACAD 10-001 licensed operator education and experience eligibility requirements.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment involves changes to the licensed operator training programs, which are administrative in nature. The EGC licensed operator training programs have been accredited by the National Nuclear Accrediting Board (NNAB) and are based on a SAT, which the NRC has previously found to be acceptable.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed TS changes are administrative in nature. The proposed TS changes do not affect plant design, hardware, system operation, or procedures for accident mitigation systems. The proposed changes do not significantly impact the performance or proficiency requirements for licensed operators. As a result, the ability of the plant to respond to and mitigate accidents is unchanged by the proposed TS changes. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, EGC concludes that the proposed amendment does not involve a significant hazard consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of no significant hazards consideration is justified.

#### **4.4 Conclusions**

In conclusion, based on the considerations discussed above, (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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#### **5.0 ENVIRONMENTAL CONSIDERATION**

The proposed amendment does not change a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR 20 and does not change surveillance requirements. The LAR proposes to revise NMP1 TS 6.3.1 and NMP2 TS 5.3.1 requirements regarding the education and experience eligibility requirements for operator license applicants to current industry requirements as described in NANT ACAD 10-001. The proposed amendment does not involve: (i) a significant hazards consideration; (ii) a significant change in the types or significant increase in the amounts of any effluent that may be released offsite; or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

#### **6.0 REFERENCES**

1. National Academy for Nuclear Training (NANT) Academy Document, ACAD 10-001, Revision 0, "Guidelines for Initial Training and Qualification of Licensed Operators," dated February 2010.
2. Letter from K. J. Polson (NMPNS) to Document Control Desk (NRC), "Request for License Amendment to Revise Nine Mile Point Units 1 and 2 Technical Specifications 6.3 and 5.3, Unit Staff Qualifications," dated December 20, 2007 (ML073541292).
3. National Academy for Nuclear Training Academy Document ACAD 00-003, Revision 1, "Guidelines for Initial Training and Qualification of Licensed Operators," dated April 2004.
4. Letter from T. J. Wengert (NRC) to M. A. Schimmel (Northern States Power Company – Minnesota), "Prairie Island Nuclear Generating Plant, Units 1 and 2 – Issuance of Amendments Re: Revision of Technical Specification 5.2.1, 'Onsite and Offsite Organizations' and TS 5.3, 'Plant Staff Qualifications' (TAC NOS. ME5447 and ME5448)," dated December 1, 2011 (ML112901115).
5. Letter from J. R. Hall (NRC) to M. W. Sunseri (Wolf Creek Nuclear Operating Corporation), "Wolf Creek Generating Station – Issuance of Amendment Regarding Technical Specification 5.3, 'Unit Staff Qualifications' (TAC NO. ME6151)," dated April 2, 2012 (ML120540291).
6. Letter from J. S. Weibe (NRC) to M.J. Pacilio (Exelon Generation Company, LLC), "Braidwood Station, Units 1 and 2; Byron Station, Unit Nos. 1 and 2; Clinton Power Station, Unit No.1; Dresden Nuclear Power Station, Units 2 and 3; LaSalle County Station, Units 1 and 2; Limerick Generating Station, Units 1 and 2; Oyster Creek Nuclear Generating Station; Peach Bottom Atomic Power Station, Units 2 and 3; Quad Cities Nuclear Power Station, Units 1 and 2; and Three Mile Island Nuclear Station, Unit 1 - Issuance Of Amendments Re: Staff Qualifications Education and Experience Eligibility Requirements For Licensed Operators (TAC Nos. ME9047, ME9048, ME9049, ME9050,

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ME9051, ME9052, ME9053, ME9054, ME9055, ME9056, ME9057, ME9058, ME9059, ME9060, ME9061, ME9062 and ME9063),” dated June 20, 2013 (ML13079A372).

7. NRC Memorandum: John McHale to Frederick D. Brown, “Summary of the November 23, 2009, Public Meeting with the Institute of Nuclear Power Operations to Discuss Guidelines for Initial Training and Qualification of Licensed Operators,” dated December 4, 2009 (ML093290023).
8. NRC Memorandum: John McHale to Frederick D. Brown, “Summary of January 13, 2010, Meeting with Industry Focus Group on Operator Licensing Issues,” dated February 12, 2010 (ML100330995).
9. Operator Licensing Program Feedback, NRC Website, Question 202.20 involving the use of NANT ACAD 10-001 revised in February 2010.

**Attachment 2**  
**Markup of Technical Specifications Pages**

Nine Mile Point Nuclear Station Units 1 and 2  
Facility Operating License Nos. DPR-63 and NPF-69

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- e. As a minimum, either the Manager Operations or the General Supervisor Operations shall hold an SRO license.
- f. The Shift Technical Advisor (STA) shall provide advisory technical support to the shift supervision in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. In addition, the STA shall meet the qualifications specified by the Commission Policy Statement on Engineering Expertise on Shift.

### 6.3 Unit Staff Qualifications

- 6.3.1 Each member of the unit staff, with the exception of the operator license applicants and the radiation protection manager, shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions. The radiation protection manager shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975. ~~The education and experience eligibility requirements for operator license applicants, and changes thereto, shall be those previously reviewed and approved by the NRC; specifically, those referenced in letter NMP1L 2184, dated December 20, 2007, and described in applicable station training procedures.~~ 
- 6.3.2 For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed Reactor Operator (RO) are those individuals who, in addition to meeting the requirements of Specification 6.3.1, perform the functions described in 10 CFR 50.54(m).

### 6.4 Procedures

- 6.4.1 Written procedures and administrative policies shall be established, implemented and maintained that meet or exceed the requirements and recommendations of Sections 5.1 and 5.3 of ANSI N18.7-1972 and cover the following activities:
- a. The applicable procedures recommended in Regulatory Guide 1.33, Appendix A, November 3, 1972;

## 5.0 ADMINISTRATIVE CONTROLS

### 5.3 Unit Staff Qualifications

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- 5.3.1 Each member of the unit staff, with the exception of the operator license applicants and the radiation protection manager, shall meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978 for comparable positions. The radiation protection manager shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975. ~~The education and experience eligibility requirements for operator license applicants, and changes thereto, shall be those previously reviewed and approved by the NRC; specifically, those referenced in letter NMPIL 2184, dated December 20, 2007, and described in applicable station training procedures.~~
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The licensed operators shall comply only with the requirements of 10 CFR 55.